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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-0068 JSW
Plaintiff,	)	
v.	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER REQUESTING STAY OF
ARTHUR ABRAHAM,	)	REMAND UNTIL HEARING ON
Defendant.	)	EXCEPTIONAL CIRCUMSTANCES
	)	Date: March 10, 2011 (Change of Plea)
	)	Time: 2:00pm
	)	Place: Courtroom 11, 19th Floor

Defendant Arthur Abraham is currently set to appear before the Court for a change of plea colloquy on March 10, 2011, at 2:00pm. Because the crime to which he will plead guilty, possession of child pornography, is considered a crime of violence under 18 U.S.C. § 3156(a)(4), Abraham is subject to mandatory remand under 18 U.S.C. § 3143(a)(2) when the Court finds him guilty, unless Abraham can show that exceptional reasons support his continued release on bond. 18 U.S.C. § 3145(c).

Abraham intends to make a showing of exceptional reasons due to his ill health, and his attorney requires additional time to obtain medical records from his treatment providers in order to make this showing. *See* Declaration of Janet Metzger, filed herewith. Also, Abraham is

1 scheduled for two medical procedures, an MRI brain scan and a full body CAT scan, that are  
2 more appropriately performed while he is out of custody.

3 For these reasons, the parties agree and respectfully ask that the Court stay Abraham's  
4 remand into custody until the Court has heard Abraham's motion for release under 18 U.S.C.  
5 §3145(c). The parties request a hearing date of April 28 or May 5, 2011, depending upon the  
6 Court's schedule, and will be prepared to discuss a briefing schedule at the change of plea  
7 hearing.

8 SO STIPULATED:

9 MELINDA HAAG  
United States Attorney

/s/

11 DATED: March 8, 2011

12 OWEN P. MARTIKAN  
Assistant United States Attorney

/s/

14 DATED: March 8, 2011

15 JANET METZGER  
Attorney for Arthur Abraham

17 **[PROPOSED] ORDER**

18 Per the parties' stipulation and for the reasons stated above, defendant Arthur Abraham's  
19 remand is hereby stayed until the Court has heard his motion for release pending sentencing  
20 under 18 U.S.C. § 3145(c).

21 SO ORDERED.

22  
23 DATED: March 9, 2011

24   
HON. JEFFREY S. WHITE  
United States District Judge